



TO: National Institute of Standards and Technology
FROM: Disability Rights North Carolina
RE: NIST-2021-0003 - Promoting Access to Voting
DATE: July 16, 2021

Disability Rights North Carolina (DRNC), the Protection & Advocacy organization exclusively dedicated to advancing the rights of North Carolinians with disabilities, is pleased to submit the following comments in response to NIST-2021-0003. Advocating for the voting rights of people with all types of disabilities is an important part of our legal practice.

1. Identify what has had the most impact enabling people with disabilities to vote privately and independently.

Accessible ballot formats, curbside voting, accessible polling places and accessible voting machines.

2. Describe concerns regarding accessing the right to vote privately and independently for people with disabilities.

Aside from accessible ballot formats, the next biggest concern is poor training of elections officials that results in mishandling of accessible voting for people with disabilities, i.e., mishandling of curbside voting processes, assumptions about competency to vote, etc.

3. Describe barriers that people with disabilities encounter in getting useful information about the voting process.

Lack of ADA coordinators and training of elections officials, and for some, information about voting provided in accessible formats.

4. Describe barriers that people with disabilities encounter with ballots, and in getting useful information about the items on the ballot. (See above and below.)
5. Identify gaps that remain in making voting accessible to people with disabilities. (See above and below.)
6. Describe barriers that people with disabilities encounter with completing online forms for the voting process.

Widespread lack of understanding of properly formatting PDF documents for use by assistive technology.

7. Describe barriers that people with disabilities encounter in getting useful information about their eligibility to vote. (See above and below.)
8. Describe barriers that people with disabilities encounter with registering to vote. (See above and below.)
9. Describe barriers that people with disabilities encounter using technology for the registration or voting process, whether online, in person, or via mail. (See above and below.)
10. Describe the availability of accessible voting equipment. (See above and below.)
11. Describe barriers that people with disabilities encounter with voting by mail.

Paper-ballot only processes exclude many individuals with print disabilities and manual dexterity challenges from privately and independently casting a ballot. Requiring multiple witnesses is another barrier for individuals who are isolated at home. In NC, limitations on assistance disenfranchises voters who are unable to secure allowable assistance and/or makes the voting process more challenging and drawn out as they look for allowable assistance.

12. Describe barriers that people with disabilities face at polling locations.

Long lines, improper handling of curbside voting processes, possibility of accessible voting machine not being in service.

13. Describe the accessibility of polling places. (See above and below.)

14. Describe any barriers that people with disabilities face to voting that disproportionately impact communities of color, persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality. The intersection of race and disability heightens every one of the identified barriers. Additionally, in NC, many such individuals

reside in low-wealth, rural counties where the lack of resources makes any barrier to voting closing to insurmountable for these individuals.

15. Of the concerns and barriers noted, identify the most serious and impactful barriers faced by voters with disabilities throughout the voting process. (See #14, above.)

Additional Comments

- Voters with disabilities remain a large voting bloc in America's elections.
- The disability community is diverse.
- People with disabilities are politically active.
- Numerous federal laws including the Americans with Disabilities Act and Help America Vote Act, protect people with disabilities and their right to vote.
- America's electoral system remains inaccessible and has a long history of excluding people with disabilities.
- People with disabilities have overcome tremendous odds to participate in elections, but they simply should not have to. Voting systems must be made accessible everywhere.
- Engagement with the disability community and awareness about disability rights will ensure greater access in our democracy and enable people with disabilities to vote privately and independently.
- America's democracy is only as strong as its ability to hear the voices of all Americans.
- Voters with disabilities are not only blocked from the ballot box itself, but they are also blocked from registering to vote as voter registration websites remain inaccessible, and limited access to registration materials.
- America's polling places are woefully, inexcusably, unjustly out of compliance with the Americans with Disabilities Act (ADA).
- Access barriers exist beyond physical barriers at polling places, such as limited language resources, distance from a voter's home to the polling place, untrained poll workers, and lack of available public transportation options.
- Although voting by-mail can be a great option for many voters, including voters with disabilities, for many, particularly those with "print disabilities," America's vote-by-mail system can present significant barriers.
- Prioritizing disability rights at the forefront will improve access for voters with disabilities.

- Practical solutions including temporary fixes already exist for making polling places accessible thanks to the disability community.
- Invest in research and training to obtain and implement the most accessible voting systems readily available.
- To ensure voters with disabilities can mark, verify, and cast their ballots by mail privately and independently, election administrators must increase the accessibility of current vote by mail systems as well including allowing all voters to vote by mail and offering electronic delivery options.
- Paper-based ballot voting options have become the preferred voting system, but it must be made abundantly clear that the ability to privately and independently hand mark, verify, and cast a paper ballot is impossible for many voters with print disabilities.

Thank you for the opportunity to comment on these critical issues and for considering DRNC's perspective.